

Minutes of the Information Management Panel
Friday, March 5, 2004

Bruce called the meeting to order at 8:30 a.m.

Present: Supervisors Genia Bruce, Duane Paulson, Bill Mitchell and Citizen Keith Pickens. **Absent:** Jim Behrend.

Also Present: Information Systems Manager Michael Biagioli, Applications Development Administrator Wayne Naegele, End User Computing Administrator Dave Broker, Systems Technology Administrator Al Mundt, Chief of Staff Lee Esler, Office Services Coordinator Windy Jicha, Principal Assistant Corporation Counsel Steve Schmitz, Corporation Counsel Tom Farley, Legislative Assistant Sandi Meisenheimer, Principal Assistant Corporation Counsel Danni Caldwell, Web Master John Zur.

Approval of Minutes January 23, 2003

MOTION: Mitchell moved, Pickens second, to approve the minutes of January 23, 2004. **Motion carried:** 4-0.

Future Meeting Dates

- Friday, April 2 at 1 p.m.

Discuss Use of Email Guidelines Relative to Public Records Laws

Farley said this item was scheduled on the Information Management Panel agenda prior to the records request from Scott Williams of the Journal Sentinel. This issue is complicated and is going to get even more complicated. We have determined several things. We need to make the open records law apply to a media or technology which wasn't anticipated when the law was written. We are going to analyze these incidents on a case-by case basis. The attorney general has some ideas but they are broad and difficult to apply. There are new areas of exceptions that will have to be dealt with. In general, he doesn't think there will be a big difference of general principles regulating mail versus email except for the technology. Emails are saved longer, easier to transmit and harder to delete/destroy so it creates some interesting and fascinating questions. You should know in general we haven't decided how to deal with supervisors that have county email versus those with their own providers. His office will first deal with those supervisors who have their own email. We are going to move at a measured pace to respond to this. The Attorney General has guidelines but the Corporation Counsel staff members don't agree on how to deal with this.

Caldwell said she met with Biagioli, Mundt and Hoffschild in January to talk about email storage. Their opinion was that departments need to know that IS won't be saving emails forever. Departments need to manage their own emails by taking steps to save emails and attachments and putting these things on their record retention schedule. Staff can't rely on the server to save all emails for them.

Paulson asked we have a computerized system, are we going to start saving hard copies of emails? Caldwell said people could keep them electronically just not on the email server. Corporation Counsel isn't saying they should be saved to hard copy. You don't need to save everything just the items listed on the records retention schedules.

Mitchell asked how long will you save emails? Biagioli said we don't have a standard. Currently, if it's out there, we save it. The problem is that when we go through back ups, it is becoming a resource hog. Restoring now will take 30 to 40 hours. Currently, IS is the only custodian. Each department needs to manage their emails. The policy needs to state that after so many months, emails will be erased. We have to get this under control. It is ludicrous to think that we could go two days without email if we can't restore the backup.

Mitchell said the vast majority of emails he gets from the county are meeting notices and we don't need to take up much space saving those. Biagioli said if there are email attachments such as pictures or large Word documents, they take up a lot of space. Emails will be on the county server and backed up if they are not deleted upon receipt. We would rather have emails deleted on a continuous basis.

Mundt said it can be difficult finding past emails in your own stuff. The server is encrypted so passwords are needed to get into emails. IS knows there are emails out there but they don't know what is in each email. What is saved on the server needs to fall within the records retention guidelines for each department. Staff should delete emails and empty trash before emails are saved to the server.

Pickens asked what is the purpose of the county email system? There should be a purpose for the email systems such as it should not be used for decision-making but for discussion and the passing of information. Mitchell said elected officials can't do anything that is considered discussion. Paulson said he has no control over what he gets through email.

Mundt said we create a lot of things we don't know how to manage. We need to decide how we are going to send out the message. Once there's a policy, there becomes a training issue. Pickens said people need to know that attachments take a lot of storage. Mundt said it is hard to know what is the official copy, the original or the one with changes. With a content management system, you can keep things but you need to know what to keep and what to get rid of.

Schnitz said there can be multiple custodians of records. There are many questions with no good answers. Even a holder of a copy of a record could be the custodian. Whether or not someone is the best custodian is another issue. There may be some issues that occur that take it out of someone's custodianship. Farley said the open records law has been in existence for 25 years and there are mountains of paper written about it. To make generalizations on it is wrong. The newspapers have been responsive to us. Farley said he talked to the newspapers and they don't want meeting notices, minutes, information sent to county board supervisors about public business, agendas, the Wheeler Report, etc. or types of info you receive that is available elsewhere. It is important to get a list of what's in supervisor's emails, look at it and then we can make some mini-generalizations. We can't get the answers until we get the questions.

Farley said what you need to save is a different question. You don't need to save minutes, agendas, Journal Sentinel articles, etc. Paulson said he would like a presentation on what we need to save. He doesn't feel he's the custodian for emails on issues around the county. Farley said you have to be reasonable about what you save. What you save isn't set up in the statutes and there isn't any case law to give you guidance. We are looking at that question. We know when we see something if it should be saved or not.

Caldwell said the records retention schedule for the county board office might affect emails. Seven years is the default that statutes require.

Schmitz said how long you keep something depends on the retention schedule. Whether or not the retention schedule includes emails depends on what state law requires and how you define a public record under state law. There are many questions. We are trying to wade through these right now. He isn't sure seven years is the magical number or if the retention schedule covers email. The law wasn't written with email in mind.

Caldwell said by having IS hang onto all these files, we are making IS the custodians of the files. This responsibility needs to be with the departments. We don't want people to rely on IS to find their records.

Farley said he doesn't think the county has established a clear policy on this issue. He suggested that this panel establish clear guidelines and policies on electronic email.

Schmitz said we will get you legal answers to these issues. Some issues aren't legal issues such as who keeps this electronic stuff. This may be more of a policy issue and not a legal issue. Corporation counsel will provide the best answers we can.

Mitchell said he has a problem turning over emails from constituents that are filled with inappropriate or bad facts and data. How do we let the public know that what they send us is public record?

Schmitz said that's something that we are going to look at. Is there a public interest that will be harmed if we provide certain emails to the Journal Sentinel? In some instances, sending a bad email to Mitchell is like talking to Mitchell in person, you wouldn't expect the interaction to go any further. If email carries the same expectations of privacy, then isn't it for public viewing? The Journal Sentinel lawyers would argue against this.

Mitchell said sometimes people email him asking for help on personal issues. These people don't want this to be made public. Schmitz said a lot depends on the content of the email. The email needs to be looked at to see if there are personal matters involved. Things then need to be weighed and decisions made.

Naegle said if messages are sent and everyone deletes them, who is liable for the retention? Caldwell said you won't have a record to produce and there could be a number of consequences in the law if you didn't preserve it.

Paulson said on AOL there is instant messaging and there could be discussion of county business. Once he clicks out of the area, it is gone. Mundt said that type of stuff is saved on the AOL computers. The providers keep the information for 90 days. Sometimes it is not encrypted and is given to law enforcement agencies.

Mundt said he doesn't think Corporation Counsel would be effective writing a policy by themselves. It would take a group of people from different areas such as IS staff, county board supervisors, corporation counsel, etc. to write this policy. He thinks the term custodian means you need to make an informed decision on what you need to keep. You don't need to keep everything.

Bruce said the state has a good policy on the Internet.

Esler said this item was on an Information Management Panel agenda a year ago. This committee said we should go with the county email address so supervisors are not the custodians of information. Supervisors would fall under the county umbrella. The County Clerk is the custodian of records under the public records notice in the county board office for the three supervisors with county emails. Schmitz said this is wrong. Elected officials are the custodians of their own records. When you look at emails versus other records, it is somewhat different and you can't push it off to the County Clerk.

Esler said the public records law said we should provide requested information within a reasonable time and without delay. Esler thinks the reasonable and without delay part may take the county years to determine the best practices for the county on this issue since it is in flux at the state level and the state review board can't produce a policy. Telling the Journal Sentinel that what is practical may actually take the county several years to produce. Schmitz said we aren't going to tell the Journal Sentinel that it will take several years to get them the information they requested. It will take us awhile longer to wade through this.

Farley said he isn't going to answer every question until we release the information to the Journal Sentinel and we aren't going into hard drives for information. We're behind the eight ball now because we got the request when we could have been better prepared. This is an opportunity to create policies and deal with the issues.

Esler asked what should he tell new supervisors at the New Supervisor Orientation on April 15? Should he tell them to use Waukesha County's email or personal email? Farley said he will have an answer by April 15. Mitchell said he took the county email because he wanted it separated from his personal emails. He put his personal email address on all campaign information.

Esler said emails aren't listed on the administrative records management or retention policies.

Mitchell asked do we have policy about people abusing the email system? Biagioli said we have such a policy.

Esler said we hired a consultant four years ago to develop a record retention policy and schedule. Administratively it was taken out of the code. We should review the county records retention procedures.

Bruce said some type of committee needs to be formed with members from Corporations Counsel, IS, Information Management Panel, etc. The panel can't develop the entire policy on their own. She urged the panel members to look at the state guidelines on this issue found on the state Website.

Esler said the state is struggling with this issue also. Many organizations and bodies are having issues. The state says it has to be addressed at the local level. The state records board isn't addressing it.

Caldwell said she doesn't want IS's concerns about email storage to not be addressed at this meeting. Should IS be the ones who preserve emails? Mitchell said this is a policy issue. The County Executive could send out a directive saying that IS will no longer be keeping the emails and then outline what will occur.

Bruce asked if it is departments' responsibility to manage email, is the County Board Office responsible for the emails of Supervisors with county email addresses? Farley said this needs to be addressed. Schmitz said we don't have anything in the records retention schedules about emails. There's a lot of work to be done and we keep coming up with new questions.

Zur said that the policy can be changed and then departments need to be notified of what needs to be saved before purging.

Paulson said he wouldn't know how to save stuff electronically.

Zur said at an employer he worked for in the past, the IS department sent information out to all departments stating that there would be a 30-day retention schedule. Eventually they found that 30 days were too few and it was moved to a 60-day retention schedule. A few users lost information because they weren't trained in time or refused to follow the new policy. When a few emails were deleted, staff took the initiative to learn how to save files electronically. It is up to IS to educate the staff on what is going to happen and how to implement the changes.

Mundt said saving emails forever is too long but we don't have a policy on what length of time to save emails. Going back through past tapes could be very costly. This policy can't come through IS. It needs to come from upper management. Pickens said in some businesses, IS would hold the information but not deal with open records law issues. Email carries its own history. Unless something is deleted, it is carried on and on. Pickens said we need to establish policy.

Esler said he talked to Mike Hasslinger, a member of the Public Records Board, about this topic. Hasslinger said this topic was brought up at the last meeting. The politicians in Madison don't want the state Public Records Board to deal with this issue at this time.

Update on the Progress of the Waukesha County Communications Center

Biagioli said Spillman agreed to install the modified GEO module at the Communications Center and train staff by February 23. There are some issues that IS is working out with Spillman. Biagioli said he met with Tuma yesterday and was given an update. The Police & Fire Protocol Committees are behind schedule. The Fire Protocol committee is meeting weekly. We can't bring Spillman up until the protocols are completely defined and built into the system. Both committees understand they are behind schedule. The hard part is that communities need to come to agreement on procedural protocols. Communities have different needs and wants for the protocols. Also, some communities have full-time fire departments while others have part-time or volunteer departments. Currently, the grand opening is May 8 and the "go-live" date is May 27. The physical part of the facility is ready to go.

Discuss the PROTECT Installation Report

Biagioli distributed and reviewed a handout titled, "IJIS to PROTECT Conversion as of 3/5/2004." The first "middle file" transmittal was created and sent on February 27, 2004. The change request for Waukesha County has been developed and tested by the state District Attorney/IT team and was installed for Waukesha County District Attorney's staff March 1, 2004. They are having file clean up discussions between the state and District Attorney's office. The conversion of the case documents has been defined. The conversion could be fairly extensive and a labor intensive conversion. There are many documents that need to be converted. The state has targeted May 24, 2004 as the "go live" date. Information Systems has assigned 1.5 FTEs to complete this task. If needed, the system can go live while IS is still working on the conversion process.

Discuss Senior Services Support

Biagioli said the Senior Services computer system is failing several times per week. The original plan was to have Senior Services use the case management piece of the HHS systems but due to costs, delays and the failure of the system, this may not be possible. We analyzed an available state system with a case management piece. He recommended disengaging Senior Services from the Health and Human Services case management system, purchasing the state software and creating interfaces. The price has come down so it makes sense to buy it now. He has provided administration an estimate of costs for maintaining the system. He recommended covering the cost of the software, a one-year of maintenance and installation out of the capital project. It is cost effective to buy this software and disengage from the HHS system.

Discuss Progress of Disaster Recovery

Mundt said we have server clustering which provides users with uninterrupted service. Our networks have shared disk space. Multiple servers can pick up the slack if a server goes down. Tape restores can be quite slow while this system could bring the system up more quickly. It may take no more than going to the locations and getting things back online.

Biagioli said they thought it would take 48 hours to bring things back up with the old system. This new system can be brought up within hours. Mundt said a server went down last night and another one picked up where it went down. This system provides users with uninterrupted services.

Discuss WiSACWIS Implementation

Biagioli said the kick-off for the implementation and conversion of Waukesha County to SACWIS is March 15. We need to be "live" with SACWIS on June 24, 2004. The state has no other plan if we are not "live" on that day. We hope the appropriate interfaces will be in place on time or that they can be staged over the next nine months. They are at the point where they realize that nine women can't make a baby in one month. Assigning many people to this project won't get it done any faster. His department is putting as many resources at the project as possible. The other potential issue is that we don't know if anyone at the state will be able to assist the county with interfaces after June. The consultant team working on interfaces will be gone as of July 1.

Naegle said you can't throw huge resources at this to get it done. Analysis of three systems is very difficult and can only be done with a few people. Only one to two people can do the analysis. We will have one or two interfaces done by the "go live" date. The issue is that information needs to be taken from Oracle to People Link to SACWIS and then in reverse. A person doing the analysis would need to know all three systems. If the person were up to speed on only one system, they would need to be trained on the other two. Since the county wrote People Link, outsiders won't be familiar with it. We are putting all the resources we can into the project to get it done on time. The only up side to this is that the state will reimburse the county 50% of the costs to complete this including software, staff time and consultant fees. IS will know more once the analysis is completed which should be after March 15. Then the work can be divided. The state doesn't know if anyone at the state level will be able to help the county after July 1, 2004. There are only two people at the state working on this and 18 counties are currently going through this.

Biagioli said this is the only state system where the state intends to charge annual maintenance fees. The estimated cost of the fees are \$63K to \$80K. If the county doesn't pay the fees, the state will take the money out of the county's 4E money.

Update on Tax Records and Listing Replacement System

Naegle said yesterday the efficiency study started for this system. The vendor selected is Whitman Hart. The first phase of this system is process design which includes documenting current practices, creating a shared vision, doing a gap analysis, etc. This should be completed in mid June. Biagioli said once we have this phase, we will have a better idea of which system will come up first and when. Biagioli said he has talked to the Treasurer to make her aware that the system will not be completed for 2004 tax collection.

Web Section Update

Zur said the county has purchased content management system defining software. Staff from the web group and County Executive's office is working on building project definitions for the content management system. Other departments will be asked to review the definitions and design. Zur explained that the software will have metadata which is used to track a Website. This system works like an audit trail and includes information such as who posted data to the Web, who approved it, when the content was put on Website, when information should be removed from the Web, etc. We'll be defining content attributes to help with workflow.

Motion to Adjourn

MOTION: Mitchell moved, Paulson second, to adjourn the meeting at 10:10 a.m. **Motion carried:** 4-0.

Respectfully submitted,

Duane E. Paulson, Secretary
Information Management Panel